



## **MINUTES**

On the 27<sup>th</sup> day of April, 2015, the Building and Standards Commission of the City of Bryan, Texas convened in Council Chambers of the Bryan Municipal Building at 5:30pm.

**BSC Members Present:**

Daryl Massey  
Judy Winn  
Richard Ravey  
Rev. G.H. Jones  
Robert Bigham  
Cheryl Free

**Staff Members Present:**

Greg Cox, Chief Building Official  
Cody Cravatt, Development Manager  
Martin Zimmermann, Planning Manager  
Jonathan Koury, Assistant City Attorney  
Melinda Hayes, Police Officer  
William Taylor, Deputy Fire Marshal  
Jerry Fagan, Building Inspector  
Charmaine McKinzie, Dev. Service Staff Assistant

Disclaimer:     *The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription.*

**1. CALL TO ORDER.**

Chairperson Massey called the meeting to order at 5:31 p.m.

**2. RECOGNITION OF AFFIDAVITS FILED IN RESPONSE TO STATE LAW ON DISCLOSURE OF LOCAL OFFICIAL'S CONFLICT OF INTEREST.**

No affidavits were filed.

**3. APPROVAL OF MINUTES FROM THE REGULAR MEETING ON MARCH 23, 2015.**

**Commissioner Jones moved to approve the regular meeting minutes from March 23, 2015. Commissioner Winn seconded the motion.**

Chairperson Massey asked if there was any discussion.

There was none.

**The motion passed with a unanimous vote.**

**4. OPENING STATEMENT FROM THE CHAIRPERSON.**

Chairperson Massey read the opening statement.

**5. SWEARING IN OF ALL PRESENT AND INTENDING TO TESTIFY.**

Chairperson Massey swore in everyone in the audience that was planning on speaking concerning any of the properties on this meeting agenda.

**6. REQUESTS TO DECLARE THE FOLLOWING BUILDINGS UNSAFE AND TO ORDER THE SAME TO BE VACATED, REPAIRED, SECURED OR DEMOLISHED – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (The order of hearings during this meeting is subject to change without notice, anyone wishing to speak at a hearing should be present at the start of the meeting. Commission makes final determination; appeals may be directed to district court).**

**b. Case # 2049 – 1010 W. 17<sup>th</sup> Street  
Owner: Keaton Tess  
Sunset PH2, Block 3, Lot 6**

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Ms. Londie Campbell of 1010 W. 17<sup>th</sup> Street, Bryan, Texas, stated that they have been having trouble with getting the electrician out to do repairs as he had a death in the family.

Mr. Greg Cox, Chief Building Official, stated that the plumbing in the kitchen and the electrical work still needs to be completed.

Responding to a question from the Commission, Mr. Cox stated he would like to see them move at a faster pace.

Ms. Campbell stated that the plumbing is done, but they are in the process of paying the plumber then the inspection will be called in.

Ms. Wilma Fields, Bryan, Texas, advised the Commission that she spoke to the electrician today, and he will be back at the house next week, and that everything will be completed by the Commission's next meeting.

Chairperson Massey closed the public hearing.

**Commissioner Ravey moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner, lienholder, or mortgagee to repair the structure within 60 days in accordance with the timeline recommended by staff, and to appear at the June 2015 regular meeting, to show compliance with the order. Commissioner Jones seconded the motion.**

Chairperson Massey asked if there was any discussion.

There was none.

**The motion passed with a unanimous vote.**

**d. Case # 2056– 1611 W. 28<sup>th</sup> Street  
Owner: Silvia Arriola  
Stovall Addition, Block 3, Lot 5**

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Ms. Silvia Amola, 1611 W. 28<sup>th</sup> Street, Bryan Texas advised the Commission that the electrical and plumbing inspections have been called in.

Mr. Cox stated that they are moving right along and are doing a great job.

Mr. William Taylor, Deputy Fire Marshal, advised that the job looks great.

Chairperson Massey closed the public hearing.

**Commissioner Winn moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner, lienholder, or mortgagee to repair the structure within 120 days in accordance with the timeline recommended by staff, and to appear at the August 2015 regular meeting, to show compliance with the order. Commissioner Jones seconded the motion.**

Chairperson Massey asked if there was any discussion.

There was none.

**The motion passed with a unanimous vote.**

**e. Case # 2095 – 500 Waco Street**  
**Owner: Broussard Barbara Jean**  
**Legion, Lot 5 & 6**

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Mr. Richard Robertson, 500 Waco Street, Bryan, Texas, advised the Commission that the house was just transferred into their name this month, and the previous owner did not want them to do any repairs until the house was paid off. Mr. Robertson went on to say that he would like to repair the house asked for more time to get estimates of repairs.

Responding to a question from the Commission, Mr. Cox stated that they will need to get all estimates first before a permit would be issued.

Chairperson Massey closed the public hearing.

**Commissioner Jones moved to accept staff's recommendation with modifications that this building is unsafe and that the Commission issue an order to the owner, lienholder, or mortgagee to secure the structure within 30 days, and to appear at the Commissions next regularly scheduled meeting with estimates and a timeline for repairs. Commissioner Bigham seconded the motion and the motion passed with a unanimous vote.**

**f. Northcutt's Mobile Home Park – 1000 Alice Street**  
**Thomas Heights, Block 6, Lot 8 & Pts of 6 & 7**

**1. Case # 2096 – 1000 Alice Street #5**  
**Owner: Northcutt Carmaleete Kocman**

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Ms. Melanie Esparza, 1000 Alice Street #5, Bryan, Texas, advised the Commission that she is the tenant that resides in the mobile home, and she has nowhere else to go.

Responding to a question from the Commission, Mr. Cox stated that the walls are soft on the outside, and the mobile home cannot be moved. Mr. Cox also reminded that staff has not seen the inside of the home as Ms. Esparza would not let staff enter.

Chairperson Massey closed the public hearing.

**Chairperson Massey moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner, lienholder, or mortgagee to vacate the**

**structure within 30 days and to demolish the building and remove the debris within 60 days. Commissioner Winn seconded the motion.**

Commissioners discussed the feasibility of repair.

**The motion passed with a unanimous vote.**

**h. Case # 2100 – 2007 Avenue C**

**Owner: Sanchez Roy**

**Jones-Brock, Block #, Lot 12**

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Mr. Roy Sanchez, 2011 Avenue B, Bryan, Texas, advised the Commission that there are no utilities hooked up to the house, and that he bought the structure five years ago, and planned on remodeling the structure, but time just got away. Mr. Sanchez went on to say now he plans on demolishing the structure, but he needs more time.

Responding to a question from the Commission, Mr. Sanchez advised he would like 90 days.

Chairperson Massey closed the public hearing

**Commissioner Jones moved to accept staff's recommendation with modification that this building is unsafe and that the Commission issue an order to the owner, lienholder or mortgagee to demolish the building and remove the debris within 90 days. The motion failed due to a lack of second.**

**Chairperson Massey moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner, lienholder or mortgagee to secure the structure within 30 days and to demolish the building and remove the debris within 30 days. Commissioner Winn seconded the motion.**

**The motion passed by a vote of 4 in favor and 1 in opposition with Commissioner Jones casting the vote in opposition.**

**i. Case # 2102– 2012 Avenue A**

**Owner: Sanchez Elsea (Alicia)**

**Jones-Brock, Block C, Lot 7 & 8**

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Mr. Roy Sanchez, 2011 Avenue B, Bryan, Texas, advised the Commission that this is his mother house and that he would like to keep it for storage. Mr. Sanchez stated the house has never been occupied.

Chairperson Massey closed the public hearing.

**Chairperson Massey moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner, lienholder, or mortgagee to secure the structure within 30 days and to demolish the building and remove the debris within 30 days. Commissioner Winn seconded the motion and the motion passed with a unanimous vote.**

**j. Case # 2103 – 4400 College Main  
Owner: Hubenak Betty Orsak  
J E Scott, Block 13-14, Lot 5**

Mr. Zimmermann explained that no Commission action was needed on this item as the structure on this property has already been demolished.

**c. Case # 2053 – 217 Lynn Street  
Owner: Ronald D & Kimberly A Selvage  
Munnerlyn Village, Block C, Lot 8**

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Mr. Ruben Gomez, 322 Tatum Street, Bryan, Texas, advised the Commission that he has all the materials but has not had time to do the repairs as he has been working out of town.

Mr. Cox stated that staff's recommendation for completion is still the same, as per the Commission's order from January 2015.

Responding to a question from the Commission, Mr. Gomez stated that he will not be working out of town, and will have no problem completing the repairs by August 2015.

**Commissioner Winn moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner, lienholder, or mortgagee to repair the structure within 120 days in accordance with the timeline recommended by staff, and to appear at the June 2015 and August 2015 regular meeting, to show compliance with the order. Commissioner Jones seconded the motion.**

Chairperson Massey asked if there was any discussion.

There was none.

**The motion passed with a unanimous vote.**

**k. Case # 2078 – 609 E. Martin Luther King Jr. Street**

**Owner: Jackson Tamara R**

City of Bryan Townsite, Block 77, Lot 6 & 7 (pts of)

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Mr. Patrick Gendron, attorney for Ms. Tamara Jackson, advised the Commission that they have complied with the order, and they have secured the structure and have repair estimates and timeline. Mr. Gendron then stated he was going to turn it over to Mr. Adrian Williams to explain the estimates and timeline.

Mr. Adrian Williams, of College Station, Texas, advised the Commission that he did the evaluation of the property.

Responding to a question from the Commission, Mr. Williams said if they did the job it would actually take about 8 weeks, with 5 or 6 people helping, if Ms. Jackson would allow him to do the job.

Responding to a question from the Commission, Ms. Jackson said she would probably do it herself, but she was unsure of what she was going to do.

Responding to a question from the Commission Mr. Gendron stated that there has been no approval for Mr. Williams to do the job at this time.

*Commissioner Jones left the meeting at 6:55pm and Commissioner Free was seated on the dias so that a quorum of the Commission was still being present.*

Responding to a question from the Commission, Ms. Jackson stated that she would like to make the commercial side a hamburger restaurant.

*Commissioner Winn left the meeting at 7:05pm, a quorum of the Commission still being present.*

Responding to a question from staff, Mr. Williams stated that part of the estimate includes an asbestos survey.

Responding to a question from the Commission, Ms. Jackson stated that it would take about 6 months to complete the job in her opinion.

Responding to a question from the Commission, Mr. Cox stated this was the first time he has seen the evaluation. Mr. Cox stated that he noticed at a first glance that a whole new rewire will be needed, which is not included in the evaluation, and that other needed repairs may not be

addressed by the evaluation.

Mr. Fred Taylor urged that the electric service to the structure be removed for safety reasons.

Responding to a question from the Commission, Mr. Cox explained that when they start the remodel their electrician can use a temporary pole.

Mr. Gendron asked to show a PowerPoint presentation, and Mr. Koury reminded that this would not be allowed since Mr. Gendron did not submit his presentation to City staff in advance of the meeting, in accordance with established City policy.

Responding to a question from the Commission, Ms. Gendron stated that his presentation is about 20 minutes in length.

Ms. Angela Deluca, 1918 S. Texas Avenue, Bryan, Texas, attorney for Ms. Tamara Jackson, advised the Commission that the last time this structure was considered, the commission ordered to secure the structure, and to come back with a detailed plan and estimate. Ms. Deluca added that there is case law that prohibits the City from rehashing the same claims repeatedly.

Responding to a question from the Commission, Ms. Deluca stated that the City Attorney's office and staff have misled the Commission to believe that properties can be re-considered.

Responding to a question from the Commission, Ms. Deluca stated that it is up to Ms. Jackson to repair the structure when she wants to. She went on to say that Ms. Jackson complied with the previous order and because staff improperly put it on the agenda to repair or demolish was wrong. Ms. Deluca stated it should have been put on the agenda under follow up.

Mr. Gendron asked again to be allowed to give a PowerPoint presentation. Mr. Koury offered the City's case file to Mr. Gendron to give his presentation. Ms. Deluca accused Mr. Koury of being unprofessional for "cross-examining" Mr. Gendron instead of advising the Commission on procedure.

Responding to a question from the Commission, Ms. Deluca repeated that, in her opinion, the City issued an order last month, and Ms. Jackson complied, and now it is up to her when she repairs the structure.

Mr. Gendron advised the Commission that Ms. Jackson plans on repairing the structure within the timeline of six months.

Responding to a question from the Commission, Ms. Jackson stated that she could not do anything until she received a permit. She went on to say that she knew there was going to be instruction on the repair, and all she is asking for was to give her chance to repair it.

Responding to a question from the Commission, Ms. Jackson stated she will do everything in her power to have repairs done in six months.

Chairperson Massey closed the public hearing.

**Commissioner Free moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner, lienholder or mortgagee to repair the**



**structure within 6 months in accordance with the timeline. Chairperson Massey moved to amend the motion to have the power removed. Commissioner Bigham seconded the motion.**

Chairperson Massey asked if there was any discussion.

Commissioner's discussed the motion.

Commissioner Free withdrew her motion

**Commissioner Free moved to accept staff's recommendation that this building is unsafe and that the Commission issue an order to the owner, lienholder or mortgagee to repair the structure within 6 months in accordance with the schedule and timeline submitted by Mr. Williams, and that the power be disconnected from both the commercial and residential side and a temporary power pole be installed during construction, and that the commercial side be secured and power remain off until the zoning issue is resolved, and that the owner appear before the Commission during each regularly scheduled meeting to demonstrate compliance with the owner, and should the owner, lienholder or mortgagee fail to comply with this order, then City staff shall bring this issue back before the Commission. Commissioner Bigham seconded the motion.**

Chairperson Massey asked if there was any discussion.

There was none.

**The motion passed with a unanimous vote.**

**f. Northcutt's Mobile Home Park – 1000 Alice Street**  
Thomas Heights, Block 6, Lot 8 & Pts of 6 & 7

**3. Case # 2097 – 1000 Alice Street #6**  
**Owner: Kearney Francis Bailey**

Mr. Zimmermann presented the staff recommendation (on file in the Development Services Department).

Chairperson Massey opened the public hearing.

Mr. Francis Kearney, of 3200 Finfeather Road #134, Bryan, Texas, advised the Commission that she agrees the mobile home needs to be demolished, but she has come before the board asking for more time.

Responding to a question from the Commission, Ms. Kearney stated she would like 90 days to demolish.

Chairperson Massey closed the public hearing.

**Chairperson Massey moved to accept staff's recommendation with modifications that this**

**building is unsafe and that the Commission issue an order to the owner, lienholder, or mortgagee to vacate the structure within 30 days, and to demolish the structure, and all debris removed within 90 days. Commissioner Free seconded the motion.**

Chairperson Massey asked if there was any discussion.

There was none.

**The motion passed with a unanimous vote.**

- a. Case # 1988 – 2000 Kazmeier Plaza**  
**Owner: Nick Collins**  
Greenfield Plaza, Block 2, Lot 8
- f. Northcutt's Mobile Home Park – 1000 Alice Street**  
Thomas Heights, Block 6, Lot 8 & Pts of 6 & 7
- 3. Case # 2098 – 1000 Alice Street #9**  
**Owner: Taplin Bradley S**
- g. Bryan Country Village Mobile Home Park – 2828 W. SH-21**  
**M&M PH1, Block 1, Lot 1, Acres 14.29**
  - 1. Case #2099 – 2828 W. SH-21 # 70**  
**Owner: Castillio Jose O**

**Chairperson Massey moved to accept the staff's recommendation for agenda items 6.a., 6.f.3., and 6.g.1. Commissioner Free seconded the motion**

Chairperson Massey asked if there was any discussion.

There was none.

**The motion passed with a unanimous vote.**

**7. STAFF UPDATES ON CASES PREVIOUSLY CONSIDERED BY THE COMMISSION**  
**(Questions may be directed to staff; no action will be taken).**

- a. Case #2074 – 4005 Milton Street**

Mr. Zimmermann advised the Commission that 4005 Milton Street received a Certificate of Occupancy.

**8. STAFF ANNOUNCEMENTS (This item includes introductions of new employees, meeting reminders, upcoming events, and staff recognition).**

- a. **The next regular meeting is scheduled for 5:30p.m. on Monday, June 22, 2015 in Council Chambers, Bryan Municipal Office Building, 300 S. Texas Avenue.**

Mr. Zimmermann advised the Commission of the next regular scheduled meeting set for June 22, 2015.

**9. FUTURE AGENDA ITEMS (A Commissioner may request that a subject for which notice has not been given be placed on an agenda for future meeting).**

No future agenda items were requested.

**10. ADJOURN.**

Without objection, Chairperson Massey adjourned the meeting at 8:45p.m.

These minutes shall serve as the official findings of the City of Bryan Building and Standards Commission, as approved on this the **22<sup>rd</sup> day of June, 2015.**

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Daryl Massey, Chairperson  
Building and Standards Commission  
City of Bryan, Texas

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Greg Cox, Chief Building Official and  
Secretary to the Building and Standards  
Commission